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## COMMUNICATION

### *The Mecklenburg Declaration: What Did the Governor See?*

[THE following communication has been received from Dr. George W. Graham of Charlotte, North Carolina, and is inserted at his request. The reader may profitably compare its statements with those made in the article by Mr. A. S. Salley, Jr., in the last number of the REVIEW (XIII. 16-43). ED.]

IN May, 1775, delegates, elected by the voters of Mecklenburg County, North Carolina, met in Charlotte and adopted a set of resolutions. In June following, these resolutions were printed in the *Cape Fear Mercury*, a newspaper published in Wilmington, N. C. On June 30, of the same year the colonial governor of North Carolina sent a copy of the *Mercury* containing the resolutions to the Earl of Dartmouth, who filed the paper in the British archives.

In 1819 a controversy, which has lasted until the present time, arose as to the purport of the resolutions printed in the *Cape Fear Mercury* of June, 1775, some disputants claiming that they were a Declaration of Independence, while their opponents contended that the resolutions made no demand for a separation of Mecklenburg County from Great Britain.

In order to settle the controversy some of the friends of the Declaration visited the British State Paper Office in order to examine the resolutions printed in the *Cape Fear Mercury* filed there. They found the paper gone and in its place a note in pencil containing this memorandum, "Taken out by Mr. Turner for Mr. Stevenson August 15th., 1837".<sup>1</sup>

Who was Mr. Stevenson? Evidently a follower of Thomas Jefferson, whose friends were doing their utmost to hinder the establishment of the genuineness of the Mecklenburg Declaration and thereby prevent that statesman's being deemed a plagiarist, for according to Appleton's *Cyclopaedia of American Biography* Hon. Andrew Stevenson was born in Virginia in 1784, belonged to the Democratic party and was a prominent member of the state legislature and of Congress for twenty years just previous to Mr. Jefferson's death in 1826.

At the time Mr. Stevenson borrowed the *Mercury* from the British archives that gentleman was United States minister at the Court of St. James, and, it seems, was suspected of having more than a passing interest in the Declaration controversy. For in the year 1838, the year after Mr. Stevenson obtained the *Mercury* from the archives and

<sup>1</sup> Page 54, Draper's manuscript in the library of the Wisconsin State Historical Society at Madison.

while he still resided in London, the book, *Memorials of North Carolina*, appeared. And its author, J. Seawell Jones, who has evidently heard of the minister's search for the *Mercury*, gives way to his vexation thus: "It has been intimated to me by a friend that the present Envoy Extraordinary of the Government of the United States, near the throne of England, had been entrusted with a commission to explore the Archives of the Colonial Office for evidence against the Mecklenburg Declaration. Under whose superintendence and advice this exploring expedition was gotten up it does not behoove me to say, but I can certainly wish it's worthy commander whatever success he may deserve. He may depend upon his deserts being fairly and thoroughly canvassed whenever the fruits of his expedition shall be disclosed to the public."

That Mr. Stevenson borrowed the *Cape Fear Mercury* from the British archives is beyond question, for Lyman Draper in the manuscript already referred to remarks: "Upon Colonel Wheeler's return to this country he applied to Hon. J. W. Stevenson of Kentucky, son of the deceased Minister to England, concerning the missing copy of the Cape Fear Mercury, and the answer was, though the missing copy could not be found, dispatches and other memoranda among the deceased Minister's papers indicates that the copy had once been in his possession."

Notwithstanding J. Seawell Jones's reflections upon Minister Stevenson, that dignitary lived through nearly twenty years of the Mecklenburg controversy, dying in 1857 without divulging the contents of the *Cape Fear Mercury* to his opponents or the public, and thereby raised a presumption against himself.

In 1838, the year after Mr. Stevenson obtained the *Cape Fear Mercury*, Colonel Peter Force of Washington, D. C., discovered some resolutions that purported to have been adopted at Charlotte on May 31, 1775, and on account of their date are known as the Thirty-first Resolves. The fact of their discovery was announced in the *National Intelligencer* in December, 1838. Immediately upon this find, the doubters, as the opponents of the genuineness of the Mecklenburg Declaration are called, contended that the resolutions brought to light by Colonel Force were identical with those printed in the *Cape Fear Mercury*. Yet Mr. Stevenson, who had read the resolutions in the *Mercury*, and, for that reason, could have settled the controversy for all time, remained dumb throughout the entire discussion, which continued through the remaining years of his life.

While it is to be regretted that Mr. Stevenson, for reasons best known to himself, did not let the public know whether the resolutions that he saw in the *Mercury* were a Declaration of Independence or the Thirty-first Resolves, we are not without information as to the intent of the resolutions printed there.

Fortunately for us the Governor of North Carolina in 1775, who read the proceedings at Charlotte printed in the *Cape Fear Mercury* and then transmitted the newspaper to the Earl of Dartmouth, has

left on record several such minute descriptions of the contents of that paper that there is no mistaking his meaning.

We find the first reference of the Governor to the publication in the *Cape Fear Mercury* on pages 38 and 39 of volume X. of the *Colonial Records of North Carolina*. There, in an address to the Executive Council on June 25, 1775, two days after the resolutions appeared in the *Mercury*, the Governor, after enumerating several unlawful occurrences in the province, continues: "And the late, most treasonable publication of a Committee in the County of Mecklenburg explicitly renouncing obedience to His Majesty's Government and all lawfull authority whatsoever are such audacious and dangerous proceedings, and so directly tending to the dissolution of the constitution of this Province, That I have thought it indispensably my Duty to advise with you on the measures proper to be taken for the maintenance of His Majesty's Government, and the Constitution of this country, thus flagrantly insulted and violated."

Of course, these remarks of the Governor can in no way be applied to the Thirty-first Resolves. For, as the opponents of the Declaration contend, the Thirty-first Resolves do not renounce obedience either explicitly or otherwise to "all lawfull authority whatsoever". And, as the doubters also contend, neither do the Thirty-first Resolves tend "to the dissolution of the constitution of this Province". On the contrary the Thirty-first Resolves, in Rule 18, positively declare that they are only intended to "be in full Force and Virtue until . . . the legislative Body of *Great Britain* resign its unjust and arbitrary Pretensions with Respect to *America*". So those resolutions are evidently not the ones that the royal executive saw in the *Mercury*. Now let us see how that official's language applies to what is known as the Mecklenburg Declaration. That Declaration explicitly renounces obedience to His Majesty's government and tends "to the dissolution of this Province", in Resolve 2 as follows: "We the citizens of Mecklenburg County, do hereby dissolve the political bands which have connected us to the Mother Country, and hereby absolve ourselves from all allegiance to the British Crown."

Again on page 48, volume X., of the same records we find a copy of the letter that accompanied the *Cape Fear Mercury* to the Earl of Dartmouth. It is dated June 30, 1775, and in part says: "The Resolves of the Committee of Mecklenburgh, which your Lordship will find in the enclosed Newspaper, surpass all the horrid and treasonable publications that the inflammatory spirits of this Continent have yet produced."

Here again the Governor makes no allusion to the Thirty-first Resolves, for, as the doubters claim, those resolutions are not treasonable. But as their preamble sets forth, they were intended "To provide in some Degree for the Exigencies of the County in the present alarming Period". The Declaration, however, fulfills the language of the letter as to treason in Resolve 3, where among other things it declares: "That

we do hereby declare ourselves a free and independent People." In the same letter the Governor tells Dartmouth: "A copy of these Resolves I am informed were sent off by express to the Congress at Philadelphia as soon as they were passed in the Committee." This information the Governor, of course, obtained from the *Cape Fear Mercury* which he had before him when writing. For Resolve 6 of the Declaration reads: "That a copy of these resolutions be transmitted by Express to the President of the Continental Congress assembled in Philadelphia, to be laid before that body." The Thirty-first Resolves do not mention Philadelphia.

The next reference to what the Governor saw in the *Cape Fear Mercury* is found in his proclamation of August 8, 1775, pages 144 and 145 of the same *North Carolina Records*, where he recites: "Whereas I have also seen a most infamous publication in the *Cape Fear Mercury* importing to be resolves of a set of people stiling themselves a Committee for the County of Mecklenburg most traiterously declaring the entire dissolution of the Laws Government and Constitution of this country and setting up a system of rule and regulation repugnant to the Laws and subversive of His Majesty's Government," etc.

Now we have the assertion of the doubters that the Thirty-first Resolves are neither "subversive of His Majesty's Government", nor do they declare "the entire dissolution of the Laws Government and Constitution of this country". So according to the testimony of our opponents the king's governor did not refer to the Thirty-first Resolves in his proclamation. Then his proclamation must have reference to the Declaration of Independence which meets the language of that manifesto when it declares in Resolve 4 that "the Crown of Great-Britain never can be considered as holding rights, privileges, immunities or authority therein."

The Thirty-first Resolves were intended as a substitute for laws wholly suspended by an act of the British Parliament.

Those in the *Cape Fear Mercury* declare the laws of Great Britain abrogated by the citizens of Mecklenburg County.

The Thirty-first Resolves are limited as to time and power. Those in the *Cape Fear Mercury* are treasonable and permanent in their action.

The Thirty-first Resolves, declare the doubters, are meant to be purely provisional, temporary and contingent in their force and virtue.

Those in the *Cape Fear Mercury*, according to the royal governor who saw them in that paper, declare "the entire dissolution of the Laws Government and Constitution of this country".

The Thirty-first Resolves, say our opponents, do not contemplate anything like a formal or definite separation from Great Britain.

Those in the *Cape Fear Mercury*, the Governor tells the Executive Council, explicitly renounce obedience to His Majesty's government.

Now, it is easy to infer which set of resolutions the Governor saw in the *Cape Fear Mercury*.

GEORGE W. GRAHAM.